

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

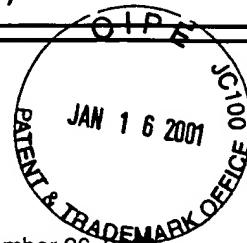
The attached application, or
 Application No. 09/646,110, filed on September 26, 2000,
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.



FULL NAME OF INVENTOR(S)

Inventor one: Lilian E. DyckSignature: Lillian E. Dyck Citizen of: CanadaInventor two: Bruce A. DavisSignature: Bruce Davis Citizen of: CanadaInventor three: Ya-Dong LiuSignature: Yadong Liu Citizen of: CanadaInventor four: David A. DurdenSignature: David A. Durden Citizen of: Canada Additional inventors are being named on 1 additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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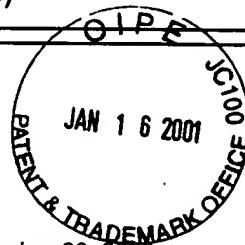
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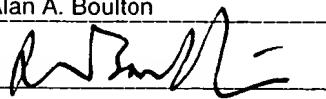
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FULL NAME OF INVENTOR(S)

Inventor one: Alan A. BoultonSignature:  Citizen of: CanadaInventor two: Canada Trust, Legal Representative of I. Alick Paterson

Signature: _____ Citizen of: _____

Inventor three: _____

Signature: _____ Citizen of: _____

Inventor four: _____

Signature: _____ Citizen of: _____

 Additional inventors are being named on _____ additional form(s) attached hereto.

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FULL NAME OF INVENTOR(S)

Inventor one: Alan A. BoultonSignature: _____ Citizen of: CanadaInventor two: Canada Trust, Legal Representative of I. Alick Paterson (deceased) - Added Additional PageSignature: W.F. Boulton Citizen of: Canada

Inventor three: _____

Signature: _____ Citizen of: _____

Inventor four: _____

Signature: _____ Citizen of: _____

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APPROVED AS TO FORM
APPROVED AND CONTENT
Satisfied

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNING BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX)
OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED
OR INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43 and 1.497(b)(2))**

The Canada Trust Company, Executor of the Estate of Ian Alick Paterson (deceased), hereby declare that it is a Canadian Company residing at 170 Second Avenue, Saskatoon, Saskatchewan, S7K 1K5, Canada (formerly residing at Suite 800, 421 7th Avenue, Calgary, Alberta, T2P 3Y9 Canada) and that this form and the attached declaration is being executed and signed as the Executor of:

Ian Alick Paterson
Full name of deceased Inventor

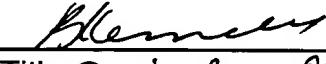
United Kingdom
Country of citizenship of deceased inventor

820 - 12 Street East, Saskatoon, Saskatchewan, Canada S7N 0H7
Residence of deceased inventor

SAME AS ABOVE
Post Office Address of deceased inventor

That, upon information and belief, The Canada Trust Company avers those facts that the inventor is required to state.

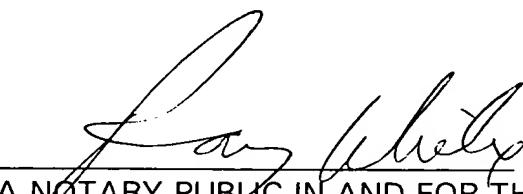
Date: January 11, 2001


Title: Senior Trust Officer 
The Canada Trust Company
Executor of the Estate of Ian Alick Paterson
(also known as I. Alick Paterson)
(deceased)

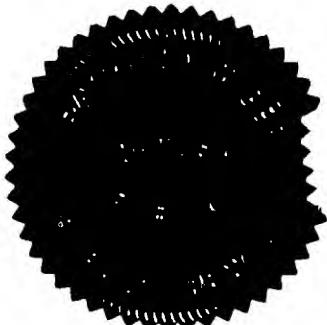
NOTARIAL CERTIFICATE

I, RAYMOND WIEBE, a Notary Public in and for the Province of Saskatchewan, by royal authority duly appointed residing at Saskatoon, in the Province of Saskatchewan, DO CERTIFY AND ATTEST that the paper writing hereunto annexed is a true copy of the document produced to me and purporting to be the original Letters Probate of the Last Will and Testament of IAN ALICK PATERSON, late of Saskatoon, in the Province of Saskatchewan, which said original document was issued the 3rd day of March, 1999, the said copy having been compared by me with the said original document an act whereof being requested I have granted under my notarial form and seal of office to serve and avail as occasion shall or may require.

DATED at Saskatoon, in the Province of Saskatchewan, this 29th day of November, 2000.



A NOTARY PUBLIC IN AND FOR THE
PROVINCE OF SASKATCHEWAN.



QBS 423/98
Gauley & Co.
701 Broadway Avenue
Saskatoon, Saskatchewan S7N 1B3
C A N A D A
IN THE PROVINCE OF
SASKATCHEWAN

**IN THE QUEEN'S BENCH COURT AT THE JUDICIAL CENTRE OF
SASKATOON**

LETTERS PROBATE

By order of The Honourable Mr. Justice C. R. Wimmer made on the 2nd day of March, 1999 the last will and testament of IAN ALICK PATERSON, late of Saskatoon, Saskatchewan who died on or about the 16th day of September, 1998 at Saskatoon, Saskatchewan and who at the time of death resided in Saskatchewan, WAS PROVED AND REGISTERED in the Court of Queen's Bench, a true copy of which last will and testament is hereunto annexed; and THE ADMINISTRATION of the estate of the deceased, and any way concerning the will WAS GRANTED BY THE COURT TO The Canada Trust Company of Saskatoon, Saskatchewan, the sole executor named in the will, having first sworn faithfully to administer the same by paying the just debts of the deceased, and the legacies contained in the will so far as thereunto bound by law, and by distributing the residue (if any) of the estate according to law, and to exhibit under oath a true and perfect inventory of the estate, and to render a just and full account of its executorship within two years after the grant of letters probate or whenever required by law to do so.

Issued this 3rd day of March, 1999.

Marie Papuzzynski
Deputy Local Registrar

LAST WILL

THIS IS THE LAST WILL of IAN ALICK PATERSON, of the City of Saskatoon, in the Province of Saskatchewan.

1. I REVOKE all Wills or other testamentary dispositions formerly made by me.
2. I APPOINT THE CANADA TRUST COMPANY, to be the Executor and Trustee of this my Will, and I hereinafter refer to them as my Trustees.
3. I AUTHORIZE MY TRUSTEE to pay to themselves from time to time from the capital and/or income of my estate or the trusts thereof such amounts as my Trustee may, in its discretion, consider reasonable as payments on account of any compensation to which they shall subsequently become entitled by reason of agreement with my beneficiaries or a Court Order on any passing of accounts.
4. I GIVE all my estate, both real and personal, including any property over which I may have a general power of appointment, to my Trustee upon the following trusts:
 - (a) To use their absolute discretion in the realization of my estate, with power to convert into money any part of my estate not consisting of money, at any time, in any manner and upon such terms, either for cash or credit as my Trustee may decide upon; and I direct that my Trustee may keep any part of my estate in the form in which it may be at my death for any length of time, although it may not be in the form of an asset or investment in which Trustees are authorized by law to invest trust money and whether or not there is any liability attached to any part of my property. My Trustee may similarly invest any part of my estate and shall not be held responsible for any resulting loss of my estate and the property so kept or invested shall be considered to be an

IAP. NB AA

authorized investment for the purposes of my Will.

- (b) To pay out of my estate all my debts, funeral and testamentary expenses and all indebtedness for any income tax and for all estate, succession or inheritance taxes and duties whether such taxes and duties shall be payable in respect of my estate or in respect of interests created at my death or at any subsequent time. All debts, expenses, taxes and duties shall be paid out of my personal property firstly and secondly, out of my real property.
- (c) To transfer and deliver to my daughter, SERIN LEAH PATERSON, all stuffed toys, children's toys and children's clothing located at my home on the date of my death.
- (d) To transfer and deliver to my friend, TANGYNE TAYLOR, the contents of my home, garden and garage.
- (e) To transfer and deliver my shares in ALVIVA BIOPHARMACEUTICALS INC. as follows:
 - i. Ten (10%) percent to my brother, MARK JOHN PATERSON, of Perry, Cambs UK,
 - ii. Ten (10%) percent to my sister, ROSEMARIA THALIA REICHARDT of the Netherlands,
 - iii. Forty (40%) percent to my friend, TANGYNE TAYLOR, and
 - iv. the balance to the trust established for my daughter, SERIN LEAH PATERSON, in accordance with paragraph 4(g).
- (f) To transfer and deliver all royalty payments due to me by the University of Saskatchewan, by way of assignment as follows:
 - i. 1.25% to XIUBIN GU, of Saskatoon, Saskatchewan,

DR AB AJ

- ii. 1.25% to XIOUHU ZHANG, of Saskatoon, Saskatchewan,
- iii. 2.5% to BOB SCHIMPF, of Saskatoon, Saskatchewan,
- iv. 10% to my brother MARK JOHN PATERSON, of Perry, Cambs UK,
- v. 10% to my sister ROSEMARIA THALIA REICHARDT, of the Netherlands,
- vi. 37.5% to my friend TANGYNE TAYLOR, of Saskatoon, Saskatchewan, and
- vii. the balance to the trust established for my daughter, SERIN LEAH PATERSON in accordance with paragraph 4(g).

(g) I DIRECT my Trustees to hold the rest and residue of my estate in trust and keep it invested for the benefit of my daughter, SERIN LEAH PATERSON, on the following terms:

- i. I authorize my Trustees to make such payments from the trust fund herein established as they see fit for the health, maintenance, education and welfare of my child;
- ii. Upon SERIN attaining the age of twenty-five (25) years, I DIRECT my Trustee to pay to her the balance of the trust;

5. I HEREBY expressly state that it is my intention in making gifts herein to my child, to benefit only my child, and not her respective spouse, and that it is not my intention that any gift made to my child shall form part of her matrimonial property.

6. ALL ASSETS received by my estate as a result of any judgment made in my favour regarding a litigation matter between myself and AUDREY MARGARET REMEDIOS identified as Q.B. No. 425 of 1997, in the Court of Queen's Bench, Family Law Division, Saskatoon, Saskatchewan, shall form part of the rest and residue of my estate and shall be



dealt with accordingly.

7. I AUTHORIZE my Trustees to borrow money upon the security of my estate to pay any of my debts, funeral and testamentary expenses, and any income tax, estate, succession or inheritance tax or duty, as well as to make any payment to any beneficiary under this my Will.

8. IF IT SEEKS just and reasonable to my Trustees according to the respective rights of the beneficiaries under my Will, my Trustees may distribute any part of my estate in its actual condition or state of investment at my death in satisfaction of any bequest to any beneficiary under my Will.

IN WITNESS WHEREOF I, IAN ALICK PATERSON, the Testator, have
signed this Last Will this 18th day of June, 1998.

SIGNED by the Testator as
his Last Will in our presence
and attested by us in his
presence and in the presence
of each other.

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NAME: St. clair

ADDRESS: Saskatoon, Sask.

OCCUPATION: lawyer

NAME: Nicole U. Belodeau

ADDRESS: Saskatoon Stc

OCCUPATION: secretary